

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA	:	21cr192 (DLC)
	:	
-v-	:	<u>ORDER</u>
	:	
DAVID MALEH,	:	
	:	
Defendant.	:	
	:	
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DENISE COTE, District Judge:

On March 25, 2021, defendant David Maleh entered a plea of guilty. Sentencing is scheduled to occur on June 25, 2021 at 2:00 PM. On April 12, Nicholas Smith filed a notice of appearance. It is therefore necessary to schedule a conference for the substitution of counsel at which the defendant, Maleh's current counsel Cathy Fleming and Mr. Smith will participate. Accordingly, it is hereby


ORDERED that a conference for the substitution of counsel will be held on **April 30, 2021** at **11:00 AM**. The defendant is incarcerated. Due to the COVID-19 pandemic, the defendant may have the option of appearing in court or through a videoconference. If, due to the increase in demand for videoconference proceedings, a videoconference is not available it may be possible to arrange for a telephone conference.

IT IS FURTHER ORDERED that defense counsel Ms. Fleming shall respond to the following two questions by **5:00 PM** on **April 22, 2021**:

- 1) Does the defendant consent to have the proceeding occur as a videoconference?
- 2) If a videoconference is unavailable, does the defendant consent to have the proceeding occur as a telephone conference?

If the defendant consents to either option, please complete and file on ECF the written consent form attached to this Order if it is feasible to do so.

Dated: New York, New York  
April 14, 2021

  
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DENISE COTE  
United States District Judge